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8/11/04 DATE Jeff Lutter NAME

DOC NO. G825

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Li

Serial No: 10/771,478

Group Art Unit: 1761

Filed: January 8, 2001

Examiner: Simone, Timothy F.

For: AUTOMATIC COOKING AND VENDING MACHINE

ELECTION

Hon. Commissioner of
Patents and Trademarks
Washington, DC 20231

Sir:

In response to the notice of restriction dated August 5,
2004, the applicant hereby elects the apparatus readable on claims
1-19.



Remarks

Claims 1-20 are pending in the application, claims 1-20 are subject to a restriction. The application is restricted between the apparatus readable on claims 1-19 ("Invention I") and the method readable on claims 20 ("Invention II").

The apparatus in claims 1-19 ("Invention I") is hereby elected by the Applicant with traverse. In particular, despite the possible difference in classification, the Examiner would likely need to search both classifications to thoroughly determine whether other art exists relevant to the patentability of the invention — whether claimed as an apparatus or method. Accordingly, it is respectfully asserted that the Examiner could examine both groups without undue effort. Claim 20 has withdrawn from the consideration.

Early and favorable consideration is earnestly solicited.

Respectfully submitted,

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